

### **REMARKS**

Claims 1, 3, 5-8, 10, and 12-14 are now pending in the application. Claims 2, 4, 9, 11, and 15-17 have been cancelled without prejudice. Claims 18-21 are withdrawn. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the claim amendments and remarks contained herein. No new matter has been added.

### **CLAIM OBJECTION**

Claims 6 and 13 were objected to because the recitation “wherein the tension handle having” is awkward and improper. As suggested by the Examiner, claims 6 and 13 have been amended changing “having” to “has.”

### **REJECTION UNDER 35 U.S.C. § 112, P2**

Claims 7 and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and particularly claim the subject matter which applicant regards as the invention. This rejection is respectfully traversed.

Claims 7 and 14 have been amended to clarify that the size of the tension crank is adjustable and as the size of the tension crank is increased, when the tension handle is moved, the tension applied to the band saw blade is increased. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 3, 5-8, 10, and 12-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Snodgrass (U.S. Pat. App. Pub. No. 2001/0054337). This rejection is respectfully traversed.

Claims 1 and 8 have been amended to read, in relevant part, as follows: “. . .a pin for contacting the bottom surface of the lifting shoe and moving the lifting shoe in a direction substantially perpendicular to the bottom surface of the lifting shoe within the upper arm of the band saw . . . .”

Applicant submits that the band saw disclosed in Snodgrass fails to teach, disclose, or suggest a pin for contacting the bottom surface of the lifting shoe and moving the lifting shoe in a direction substantially perpendicular to the bottom surface of the lifting shoe within the upper arm of the band saw.

In the Office Action dated April 18, 2006, the Examiner identified the teeth on pinion gear 76 and rack guide 44 as purportedly being equivalent to the pin and lifting shoe of claims 1 and 8, respectively. As disclosed in Snodgrass, the teeth on pinion gear 76 do not contact the bottom surface of the rack guide 44. Rather, the teeth on pinion gear 76 contact the surface of rack guide 44 that contains the grooves for engaging the teeth of the pinion gear 76. This side, as can be seen in Figures 3 and 4 of Snodgrass, is clearly the side surface of rack guide 44.

Assuming *arguendo* that the surface of rack guide 44 that the teeth of pinion gear 76 contact can be considered the bottom surface rather than the side surface of the rack guide 44, Snodgrass still fails to teach, disclose, or suggest a pin for moving the lifting shoe in a direction substantially perpendicular to the bottom surface of the lifting shoe within the upper arm of the band saw. As disclosed in Snodgrass, the arrangement of elements is such that the teeth of the pinion gear 76 engage the grooves in rack guide 44 and move the rack guide 44 in a direction substantially parallel, not perpendicular, to the surface of the rack guide 44 that engages the teeth of the pinion gear 76.

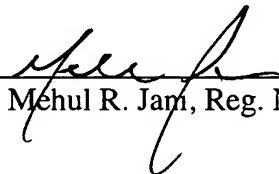
Therefore, Snodgrass does not disclose, suggest, or teach that which is set forth in claims 1 and 8.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (410) 716-2886.

Respectfully submitted,

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